

**In the United States District Court
for the Southern District of Georgia
Brunswick Division**

UNITED STATES OF AMERICA,

Plaintiff,

v.

HIGINIO PEREZ-BRAVO,

Defendant.

CR 418-274

ORDER

Defendant Higinio Perez-Bravo filed a Motion for Authorization to Spend Funds to Hire Investigator. Doc. 49. After due consideration and for the following reasons, Defendant Perez-Bravo's Motion for Authorization to Spend Funds to Hire Investigator is **GRANTED**. Mr. Perez-Bravo has additionally filed a Motion for Early Hearing on his motion. Doc. 58. Mr. Perez-Bravo's motion for hearing is **DENIED as moot**.

Mr. Perez-Bravo is charged in this case with Conspiracy to Commit Murder for Hire with the following offense in violation of 18 U.S.C. § 1958(a). In paragraphs 19 through 27 of the Indictment, and paragraphs number 116 through 131, it is alleged, among other things, that Defendant conspired with his Codefendants for the purpose of murdering Eliud Montoya for money and the promise of money, in violation of the laws of the United States

and the State of Georgia, which resulted in the death of Eliud Montoya.

Upon evaluation of Mr. Perez-Bravo's financial circumstances at his initial appearance, the Magistrate Judge determined that Mr. Perez-Bravo was indigent and appointed counsel to him. Doc. 20.

In light of the allegations in the indictment and the discovery produced by the Government, Mr. Perez-Bravo asks for authorization under 18 U.S.C. § 3006A to spend funds to hire an investigator to assist with preparation and presentation of his case. Doc. 49. Mr. Perez-Bravo asserts the services of an investigator are vital to his defense, necessary to adequately prepare for trial, necessary to ensure effective assistance of counsel and due process of law. Id. Mr. Perez-Bravo stresses that this case involves an alleged homicide and that he is facing the possibility of a capital sentence. Id. Mr. Perez-Bravo further asserts that having a Spanish-speaking investigator is critical because he does not speak English. Id.

Mr. Perez-Bravo specifically asks for authorization to expend funds to hire investigator Catherine Herrera-Vachon and provides investigator Catherine Herrera-Vachon's curriculum vitae. Id. Although Mr. Higinio Perez-Bravo does not request authorization for a specific amount to obtain investigator Herrera-Vachon's services, the Motion does estimate that the charges would not

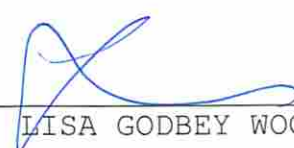
exceed \$15,000.00 including trial. This amount was estimated at \$75.00 per hour at 200 hours.

Upon due consideration, Mr. Higinio Perez-Bravo's Motion is **GRANTED**. The Court finds that the services requested in Mr. Perez-Bravo's Motion are necessary for adequate representation in these circumstances, that Mr. Perez-Bravo is financially unable to obtain them on his own, and, therefore, **CERTIFIES** that the funds sought by Mr. Perez-Bravo are necessary for adequate representation. Defendant Perez-Bravo is hereby authorized to spend funds in an amount up to but not exceeding \$15,000.00 to retain investigator Catherine Herrera-Vachon. In accordance with 18 U.S.C. § 3006A(e)(3), the funds will be released upon approval of the Chief Judge of the Circuit.

If Mr. Perez-Bravo seeks authorization for additional funds related to investigator services in this matter, Mr. Perez-Bravo shall submit a written request to the Court for such authorization and shall detail the specific amounts sought and a description of the services to be obtained.

Because the Court has granted Mr. Perez-Bravo's Motion for Authorization to Spend Funds to Hire Investigator, his Motion for Hearing, doc. 58, is **DENIED as moot**.

SO ORDERED, this 5 day of February, 2019.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA